

The Hon. Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
SAMUEL FENTAHUN,
Defendant.

NO. CR18-060-RAJ

ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for Entry of an Order of Forfeiture seeking to forfeit to the United States the interest of the Defendant, Samuel Fentahun, in the following property:

- A judgment for a sum of money in the amount of \$3,000, representing the proceeds the Defendant obtained as a result of the offenses charged in Counts 1 and 2 of the Indictment. The United States will request the Attorney General apply any amounts it collects towards satisfaction of this forfeited sum to the restitution that is ordered in this case.

The Court, having reviewed the papers and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is appropriate because:

- The Defendant was charged by an Indictment that included a forfeiture allegation, providing notice that the United States was seeking, pursuant to 18 U.S.C. § 982(a)(2)(A), the forfeiture of property including, but not limited

1 to, a judgement for a sum of money representing the proceeds that the
2 Defendant obtained as a result of the offenses described in Counts 1 and 2 of
3 the Indictment, charging Bank Fraud in violation of 18 U.S.C. § 1344(1) and
4 (2) (Dkt. No. 11, ¶¶ 1–7, 11–12);

- 5 • Pursuant to the Plea Agreement, the Defendant agreed to forfeit his interest in
6 a sum of money of no more than \$3,000, representing the proceeds the
7 Defendant obtained as a result of the offenses charged in Counts 1 and 2 of
8 the Indictment, to which he pleaded guilty (Dkt. No. 26, ¶¶ 1, 15);
- 9 • The evidence in the record, including information contained within the Plea
10 Agreement, has established the requisite nexus between the above-described
11 sum of money and the offenses of conviction, pursuant to Fed. R. Crim. P.
12 32.2(b)(1)(B); and
- 13 • No ancillary proceeding is required to the extent that the forfeiture consists of
14 a judgment for a sum of money representing proceeds obtained as a result of
15 the charged offenses, pursuant to Fed. R. Crim. P. 32.2(c)(1).

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17 NOW, THEREFORE, THE COURT ORDERS:

18 1) Pursuant to 18 U.S.C. § 982(a)(2)(A), the Defendant's interest in the above-
19 identified sum of money is fully and finally forfeited, in its entirety, to the United States;

20 2) No right, title, or interest in this sum of money exists in any party other
21 than the United States;

22 3) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this order will become final
23 as to the Defendant at the time he is sentenced, it will be made part of the sentence, and it
24 will be included in the judgment;

25 4) Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this sum of money
26 in whole or in part, the United States may move to amend this order, at any time, to
27 substitute property having a value not to exceed \$3,000; and

1 5) The Court will retain jurisdiction in this case for the purpose of enforcing
2 this order.

3 The Clerk of Court is DIRECTED to serve a copy of this order of forfeiture on all
4 parties of record.

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6 DATED this 25th day of September, 2018.

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The Honorable Richard A. Jones
United States District Judge